

MINUTES

COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR AIKEN COUNTY

COUNCIL CHAMBERS, 736 RICHLAND AVENUE, W., AIKEN, S.C.

REGULAR MEETING – JUNE 21, 2005 – 7:00 P. M.

(A) CALL TO ORDER

Determining that a quorum was present, Chairman Young called the meeting to order.

Council Members present:

Chairman Ronnie Young
Kathy Rawls
Scott Singer
LaWana McKenzie
Chuck Smith
Eddie Butler
Charles Barton
Gary Bunker
Willar H. Hightower, Jr.

Also present:

J. Clay Killian, County Administrator
Robert M. Bell, County Attorney
Tamara Sullivan, Council Clerk

(B) INVOCATION

Councilman Hightower led in the invocation.

(C) PLEDGE OF ALLEGIANCE

Councilman Bunker led in the Pledge of Allegiance.

(D) APPROVAL OF MINUTES

1. June 7, 2005 Worksession
2. June 7, 2005 Regular Meeting
 - a. Councilman Smith made a motion to approve the minutes. Councilwoman McKenzie seconded.
 - b. The minutes were approved by unanimous vote.

(E) APPROVAL OF AGENDA

- a. Councilman Butler made a motion to amend and approve the agenda as follows:
 1. Delete Old Business Item 3.
 2. Delete Consent Item 9.
 3. Add Consent Item 11a – Proposed Resolution To Authorize the Council Chairman to Execute a One Year Extension to the Contract with ABL Management for Food Service at the Detention Center.

4. Add Consent Item 11b – Proposed Resolution To Recognize the Biannual Family Reunion of the Sylvester Key Family.
 5. Delete New Business Item 3.
 6. Delete New Business Item 4.
- b. Councilwoman McKenzie seconded the motion. The amended agenda was approved by unanimous vote.

(F) PUBLIC HEARINGS

1. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 024-17-01-002 Located at 1119 Atomic Road, North Augusta, SC in Council District 3 from RUD to IND.
 - a. No comments were made.
2. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcels 048-00-10-003, 049-00-03-001 and 049-00-03-002 Located on Bettis Academy Road, Graniteville, SC in Council District 6 from RUD to PUD.
 - a. No comments were made.
3. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 050-11-09-001 Located at Midland Valley Country Club Golf Course, Off Jefferson Davis Highway in Council District 5 from RC to PUD.
 - a. Mr. Killian stated that the request for rezoning had been withdrawn by the applicant.

(G) OLD BUSINESS

1. Removal from the Table of a Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 012-06-10-010 Located in the 500 Block of Belvedere-Clearwater Road, Belvedere, South Carolina in Council District 5 from RC to UD.
(Butler) (Second Reading)
 - a. No motion was made to remove the proposed Ordinance from the Table. The proposed Ordinance died for lack of a motion.
2. Proposed Ordinance to Establish Operating, Capital and Debt Service Budgets for Aiken County, South Carolina for the Fiscal Year July 1, 2005 Through June 30, 2006; to Provide for the Levy of Taxes for County Operations, Capital and Debt Services; to Provide for All Other Estimated Revenues and for the Appropriation Thereof; and to Provide for Other Matters Related Thereto.
(County Council) (Third Reading)
 - a. Councilman Barton made a motion for the approval. Councilman Butler seconded.
 - b. Councilman Butler made an amendment motion to incorporate the following adjustments into the proposed Budget:

FY 2006 BUDGET ADJUSTMENTS

Additional Expenses

\$100,000	Nuisance abatement funds
\$67,000	Additional nuisance officer & car
\$50,000	Litigation funds
\$15,000	Brett Public Relations
\$35,907	Equipment operator for Solid Waste
\$32,627	Truck driver for Solid Waste
\$150,000	Road Maintenance
\$20,000	Computer services for County Council/electronic agenda
\$10,000	Dibble Building roof replacement
\$15,000	USCA Small Business Development
\$32,500	Helping Hands
\$10,000	Park maintenance
\$803,830	Sheriff's Office
\$14,600	Coroner's Office transport services
\$14,263	Coroner's Office pauper burial, data processing, communication equip.
\$33,664	Coroner's Office Forensic, Deputy Coroner
\$10,000	Heritage Corridor
\$700,000	Debt service payment for road construction, Sage Mill water line
\$100,000	Special Accommodations Tax Fund

Total Additions

\$2,214,391

Additional Revenue

\$120,000	Increase in fees
\$50,000	Increase in interest income
\$389,700	Reduction in Aiken Tech allocation
\$171,000	2005 Aiken Tech allocation withheld
\$100,000	FILOT to cover water line

Total Additional Revenue

\$830,700

Difference Needed to Balance: \$1,383,691/\$414,000 = **Approximately 3.4 mills**

- c. Councilman Hightower seconded the amendment motion. The amendment motion was approved by majority vote with Councilman Bunker voting in opposition.
- d. The amended FY 2006 Budget was approved by majority vote with Councilman Bunker voting in opposition.

3. DELETED

(H) CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

I. REGULAR CONSENT AGENDA

- 1. Proposed Resolution to Appoint One Member to Designated Boards, Commissions and Committees with Terms of the Appointees to Run Concurrent with that of the Councilmember from Districts 1, 2, 3, 4, 6, and 7.
(Rawls, Singer, McKenzie, Smith, Barton, Bunker)

2. Proposed Resolution to Appoint Two Members to the Lower Savannah Workforce Development Board.
(Administrative Committee)
3. Proposed Resolution to Approve the Allocation of Funds for Various Non Profit Agencies from the FY 2005 Council Contingency Fund.
(County Council)
4. Proposed Resolution to Authorize the Council Chairman to Execute and Submit an Application to the South Carolina Water Quality Revolving Fund Authority for a Loan from the Fund in the Amount of \$2,500,000 to Finance the Costs of Constructing a Sewer Line Connecting the Community of Beech Island, Kimberly Clark Corporation and Pactiv Advanced Packaging Solutions Industries to the Horse Creek Pollution Control Facility.
(Development Committee)
5. Proposed Resolution to Authorize the County Administrator to Dispose of Surplus Property at the Savannah River Research Campus.
(Administrative Committee)
6. Proposed Resolution to Authorize the Central Procurement Division to Purchase a LiveScan from Dataworks Plus.
(Judicial and Public Safety Committee)
7. Proposed Resolution to Authorize the Execution of a Renewal Contract with APS Legal Ease for the Serving of Civil Papers.
(Judicial and Public Safety Committee)
8. Proposed Resolution to Authorize the Council Chairman to Execute a Renewal Agreement with the South Carolina Department of Corrections for Inmate Labor for FY 2006.
(Judicial and Public Safety Committee)
9. **DELETED**
10. Proposed Resolution to Authorize the Purchase of Additional Camera Equipment from ESITECH for the Aiken County Detention Center.
(Judicial and Public Safety Committee)
11. Proposed Resolution to Authorize the Council Chairman to Execute an Agreement with Motorola for Communication Equipment Maintenance.
(Judicial and Public Safety Committee)
- 11a. Proposed Resolution To Authorize the Council Chairman to Execute a One Year Extension to the Contract with ABL Management for Food Services at the Detention Center.
(ADDITION)
- 11b. Proposed Resolution To Recognize the Biannual Family Reunion of the Sylvester Key Family.
(ADDITION)

II. CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

12. Proposed Ordinance to Amend Article V of the Declaration of Covenants, Conditions and Restrictions of the Savannah River Research Campus to Authorize Collection of Covenant Fees for Lease Property.
(Administrative Committee)
13. Proposed Ordinance Authorizing the Acceptance of a Loan, the Execution and Delivery of a Loan Agreement and Other Documents Related to a Loan from the Lower Savannah Council of Governments in the Amount of \$750,000 for the Hydrogen Lab being Constructed at Savannah River Research Campus and Determining Other Matters in Connection Therewith.
(County Council)
- a. Councilwoman McKenzie made a motion to approve the Consent Agenda. Councilman Butler seconded.
- b. The Consent Agenda was approved by unanimous vote.

(I) NEW BUSINESS

1. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 024-17-01-002 Located at 1119 Atomic Road, North Augusta, SC in Council District 3 from RUD to IND:
 - A. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 024-17-01-002 Located at 1119 Atomic Road, North Augusta, SC in Council District 3 from RUD to IND.
(McKenzie) (First Reading)
 - or
 - B. Proposed Resolution to Disapprove a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 024-17-01-002 Located at 1119 Atomic Road, North Augusta, SC in Council District 3 from RUD to IND.
(McKenzie)
 - a. Councilwoman McKenzie made a motion to approve the Ordinance under option A. This approval is conditional upon input from the residents of that area.
 - b. Mr. Walt Scharer, Planning and Development, stated that the request for rezoning was made because the owner would like to build a shelter over existing equipment that extracts liquids from vehicles prior to them being crushed.
 - c. Passed by unanimous vote.
2. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcels 048-00-10-003, 049-00-03-001 and 049-00-03-002 Located on Bettis Academy Road, Graniteville, SC in Council District 6 from RUD to PUD:
 - A. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcels 048-00-10-003, 049-00-03-001 and 049-00-03-002 Located on Bettis Academy Road, Graniteville, SC in Council District 6 from RUD to PUD.
(Barton) (First Reading)

or

- B. Proposed Resolution to Disapprove a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcels 048-00-10-003, 049-00-03-001 and 049-00-03-002 Located on Bettis Academy Road, Graniteville, SC in Council District 6 from RUD to PUD.
(Barton)

- a. Councilman Hightower made a motion to approve option A. Councilman Barton seconded.
- b. Passed by unanimous vote.

3. **DELETED**

4. **DELETED**

(J) ITEMS FOR INFORMATION AND THE PUBLIC RECORD

- 1. Fiscal Year 2005 Aiken County Contingency Report as of June 8, 2005.

(K) INFORMAL MEETING OF WHOLE

- a. Mr. Joe DeVore, Aiken Technical College Board, discussed how the Board was structured, its mission and how appointments were made. Mr. DeVore requested, on behalf of the Board and the College, that Council continue funding the College at the same level that was allocated in the FY 2005 Budget.
- b. Ms. Pamela Hall, Hall Gaffney Women's Learning Center, discussed the Youth Basketball of America program and requested financial support. Councilman Hightower pledged \$500 from his FY 06 Contingency Funds. Councilman Barton stated that earlier in the meeting he had allocated \$600 for the Youth Basketball of America Program.
- c. Councilman Smith made a motion to recess for Executive Session. Councilwoman McKenzie seconded.
- d. The motion to recess passed by unanimous vote.

RECESSED – 7:25 P. M.

(L) EXECUTIVE SESSION

- 1. Legal Matters:
 - a. Status Report on Pending Litigation, Legal Claims and Legal Advice.
(County Attorney) (Verbal)
- 2. Contractual Matters:
- 3. Personnel Matters:

RECONVENED – 8:45 P. M.

***AMENDED AT July 19, 2005 COUNTY COUNCIL MEETING**

VERBATIM REQUESTED BY COUNCILMAN HIGHTOWER OF THE DISCUSSION FOLLOWING EXECUTIVE SESSION.

Chairman Young: Okay. We're back in open session and I recognize Mr. Smith.

Councilman Smith: Yes sir, Mr. Chairman. I would like to make a motion that we accept Pruitt Properties Inc. of Atlanta Georgia's bid to sell Mattie C. Hall nursing facility and that the monies derived from that sale be earmarked to a separate contingency fund where the interest, only the interest can be ah encroached upon unless there is a super majority that allows us to go in and and ah encroach on the principal and that that interest will be used for projects determined by County Council at a later date.

Councilman Singer: Second.

Councilwoman McKenzie: That would be a reserve account.

Councilman Smith: Okay. Contingency reserve account.

Councilwoman Rawls: ...a reserve account.

Councilman Smith: Reserve account. That's fine. A separate reserve account.

Chairman Young: Okay. I've got a motion and a second. Any discussion?

Councilman Hightower: I I I have a question about about the motion. This super majority, what's the definition of that?

Councilman Smith: Two thirds.

Councilman Hightower: Huh?

Councilman Smith: Two thirds.

Councilman Hightower: Two thirds? That's what that's what you mean by super majority?

Councilman Singer: Well technically a super majority is sixty percent but you can't get sixty percent without getting sixty seven percent so it would be two thirds.

Councilman Hightower: I don't quite understand what you're saying.

Councilman Singer: By definition a super majority is sixty percent but you can't do sixty percent because of nine votes. So six out of nine would be two thirds.

Councilman Smith: Two thirds. And I'll amend that motion so that the super majority to be able to encroach upon that principal would consist of six of nine members of Council.

Councilman Hightower: Two thirds.

Councilman Smith: Two thirds.

Councilman Hightower: Okay. I have some comments...

Mrs. Sullivan: Willar, can you get close to the microphone?

Councilman Hightower: Oh yeah.

Mrs. Sullivan: Thank you sir.

Councilman Hightower: I I have a few comments. First first of all I'd like to say that I

a. Following Executive Session Councilman Smith made the following Voice Motion:

To accept Pruitt Properties Inc. of Atlanta, Georgia's bid for the sale of the Mattie C. Hall Health Care Center. That the monies derived from that sale be earmarked to a special reserve account where only the interest can be used to fund County initiatives. A super majority (6 of 9 affirmative votes) would be required to allow Council to encroach upon the principal amount. The use of the interest from the special reserve account will be determined by Council at a later date.

b. Councilman Singer seconded the Voice Motion.

c. Councilman Hightower voiced his opposition to the sale of the facility and voiced his concern about the bid process.

d. Councilman Singer stated for the record that the County did not accept the highest bid because it came after the deadline. Councilman Singer added that it was his understanding that the bids were not opened until the deadline.

e. It was clarified that two bids were received and opened on June 9th, 2005. Another bid was received on June the 10th. The bids were opened upon receipt at the County Attorney's office.

f. The Voice Motion passed by majority vote with Councilman Hightower voting in opposition.

g. Councilman Smith made a motion to adjourn the meeting. Councilman Singer seconded.

h. Passed by unanimous vote.

(M) ADJOURNMENT – 8:58 P. M.

Respectfully submitted,

SIGNED:

Tamara Sullivan, Council Clerk

Ronnie Young, Chairman